

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

In re:	)	
	)	Chapter 11
APPLESEED'S INTERMEDIATE HOLDINGS LLC, <i>et al.</i> ,	)	Case No. 11-10160 (KG)
	)	
Debtors.	)	Jointly Administered
	)	
Robert N. Michaelson, as Trustee of the Appleseed's Litigation Trust,	)	
	)	
Plaintiff,	)	Civ. No. 11-807 (JEI/KMW)
v.	)	
	)	
Jeffrey D. Farmer, <i>et al.</i> ,	)	
	)	
Defendants.	)	
	)	
Golden Gate Private Equity, Inc., <i>et al.</i> ,	)	
	)	
Counterclaim Plaintiffs,	)	Civ. No. 11-807 (JEI/KMW)
v.	)	
	)	
Robert N. Michaelson, as Trustee of the Appleseed's Litigation Trust,	)	
	)	
Defendants.	)	
	)	
Jeffrey D. Farmer, Bradford J. Farmer, Brent A. Bostwick and Vito Kowalchuk,	)	
	)	
Cross Claim Plaintiffs,	)	Civ. No. 11-807 (JEI/KMW)
v.	)	
	)	
Golden Gate Private Equity, Inc., <i>et al.</i> ,	)	
	)	
Cross Claim Defendants.	)	
	)	

### Third Party Defendants.

<sup>2</sup> The “Third Party Defendants” are: T. Neale Attenborough; Brenda Koskinen; Claire Spofford; John Civali; Dave Walde; American Capital Strategies, Ltd.; and Doe Defendants 1-15 (names and capacities to be provided on Amendment).

Dated: September 25, 2012

*[Counsels' signature pages follow]*

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<sup>3</sup> The “GGC Defendants” are the following entities and individuals: Golden Gate Private Equity, Inc.; Golden Gate Capital Management II, LLC; GGC Administration, LLC; Orchard Brands Corporation (formally known as Appleseed’s Topco, Inc.); Orchard Brands Topco LLC; Catalog Holdings, LLC; Catalog Holdings, LLC – Series B (Draper’s); Catalog Holdings, LLC – Series C (Appleseed’s); Catalog Holdings, LLC – Series D (NTO); Catalog Holdings, LLC – Series E (Haband); Golden Gate Capital Investment Fund II, LP; Golden Gate Capital Investment Fund II (AI), LP; Golden Gate Capital Associates II-QP, LLC; Golden Gate Capital Associates II-AI, LLC; CCG AV, LLC; CCG

**MACAULEY LLC**

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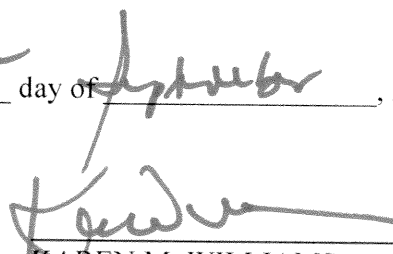
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*Counsel for American Capital Strategies, Ltd.*

SO ORDERED on this 26<sup>th</sup> day of September, 2012.

  
\_\_\_\_\_  
KAREN M. WILLIAMS  
United States Magistrate Judge